

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
John E. Triplett, Clerk of Court  
United States District Court  
By James Burrell at 12:56 pm, Jun 18, 2024

UNITED STATES OF AMERICA	)	INFORMATION NO:	4:24CR-61
	)		
v.	)	18 U.S.C. §§ 7 and 13	
	)		
LARRY TOBY	)	50 U.S.C. § 797	
	)	Violation of Security	
	)	Regulation	
	)		
	)	18 U.S.C. § 1382	
	)	Unlawful Entry to Military	
	)	Installation	
	)		
	)	O.C.G.A. § 40-6-391(a)(1)	
	)	DUI Less Safe	
	)		
	)	O.C.G.A. § 40-6-391(a)(5)	
	)	DUI .08 or Greater	

THE UNITED STATES ATTORNEY CHARGES:

**COUNT ONE**

*Violation of Security Regulation and Orders*  
50 U.S.C. § 797

On or about August 19, 2023, in the Southern District of Georgia, on land within the special maritime and territorial jurisdiction of the United States and under the concurrent jurisdiction of the United States and the State of Georgia, namely Fort Stewart Military Reservation,

**LARRY TOBY,**

did willfully violate Army Regulation 190-13 by trespassing on Department of the Army property, in violation of Title 50, United States Code, Section 797.

**COUNT TWO**

*Unlawful Entry to Military Installation*

18 U.S.C. § 1382

On or about August 19, 2023, in the Southern District of Georgia, on land within the special maritime and territorial jurisdiction of the United States and under the concurrent jurisdiction of the United States and the State of Georgia, namely Fort Stewart Military Reservation,

**LARRY TOBY,**

did unlawfully enter Fort Stewart Military Reservation for a purpose prohibited by law and lawful regulation, to wit: driving a motor vehicle on Department of the Army property while under the influence of alcohol, in violation of Title 18, United States Code, Section 1382.

**COUNT THREE**

*DUI Less Safe*

O.C.G.A. § 40-6-391(a)(1)

On or about August 19, 2023, in the Southern District of Georgia, on land within the special maritime and territorial jurisdiction of the United States and under the concurrent jurisdiction of the United States and the State of Georgia, namely Fort Stewart Military Reservation,

**LARRY TOBY,**

did unlawfully drive and was in actual physical control of a moving vehicle while under the influence of alcohol to the extent that it was less safe for him to drive, in violation of Title 18, United States Code, Sections 7 and 13, and the Official Code of Georgia Annotated, Section 40-6-391(a)(1).

**COUNT FOUR**  
*DUI .08 or Greater*  
O.C.G.A. § 40-6-391(a)(5)

On or about August 19, 2023, in the Southern District of Georgia, on land within the special maritime and territorial jurisdiction of the United States and under the concurrent jurisdiction of the United States and the State of Georgia, namely Fort Stewart Military Reservation,

**LARRY TOBY,**

did unlawfully drive and was in actual physical control of a moving vehicle while his alcohol concentration was 0.08 grams or more at a time within three hours after such driving from alcohol consumed before such driving ended, in violation of Title 18, United States Code, Sections 7 and 13, and the Official Code of Georgia Annotated, Section 40-6-391(a)(5).

JILL E. STEINBERG  
UNITED STATES ATTORNEY

*/s/ Michael Z. Spitulnik*

Michael Z. Spitulnik  
Special Assistant United States Attorney  
IL Bar No. 6321559